

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

MANUEL ALVAREZ,

Plaintiff,

v.

Civ. No. 22-589 GJF/LF

OREION MOTORS, LLC and KENT
KNOX,

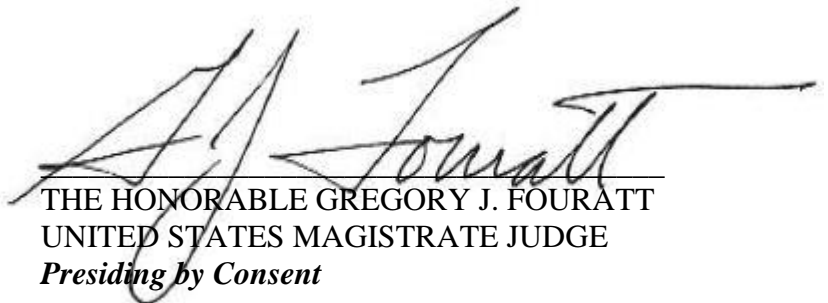
Defendants.

ORDER ON MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT

THIS MATTER is before the Court upon Plaintiff's "Motion for Leave to File Second Amended Complaint" [ECF 24]. Noting Defendants' failure to timely respond to the Motion¹ and that Local Rule 7.1(b) dictates that "failure of a party to file and serve a response in opposition . . . constitutes consent to grant the motion," the Court finds Plaintiff's Motion well-taken and **GRANTS** it.

IT IS THEREFORE ORDERED that Plaintiff may file his proposed Second Amended Complaint.

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent

¹ The Motion, filed on October 27, 2022, required a response filed by no later than November 10, 2022, to be considered a timely and valid challenge. *See* D.N.M.LR-Civ. 7.4(a) ("A response must be served and filed within fourteen (14) calendar days after service of [a] motion.").